

INITIAL STATEMENT OF REASONS

Hearing Date: July 9, 2003

Subject Matter of Regulations: Small Animal Mobile Clinics

1. Section 2030.2 Small Animal Mobile Clinics

Specific purpose of the regulation:

2030.2(b)(2)

The current regulation requires that small animal mobile clinics have an examination room separate from other areas of the facility that is sufficient in size to accommodate the doctor, assistant, patient and client. The proposed amendment would change the requirement that the examination room be separate from other areas of the mobile clinic.

2030.2(b)(5)

The current regulations require that all small animal mobile clinics have a room that is separate and distinct from other areas of the facility specifically to perform aseptic surgery. The Board also included a compliance date of January 1, 2004, by which all small animal mobile clinics must comply with this regulation. The proposed regulation extends the compliance date to January 1, 2006.

2030.2(b)(5)(A)

The proposed regulation would require that small animal mobile clinics that provide aseptic surgical procedures have an examination room that is separate from the surgery room and large enough to conduct an examination.

Factual basis:

Pursuant to Business and Professions Code Sections 4853 and 4854, the Veterinary Medical Board has the statutory authority to require that all veterinary premises are registered with the Board and that each registered premises conforms to the minimum standards as developed by the Board. Beginning with section 2030 of the California Code of Regulations (CCR). The Board has developed minimum standards of practice for fixed premises and mobile clinics. While some of the requirements are specific to each practice type, other sections are required to be met by both fixed and mobile clinics. Specific to this regulation proposal, the Board is making amendments to the minimum standards of practice that became effective in May 2000. During the previous three years, the Board has monitored how these standards have ensured the protection of consumers and animals and have identified areas where the requirements may be restrictive to some mobile practitioners. In determining this, the Board is proposing the following changes.

CCR Section 2030.2(b)(2) and 2030.2(b)(5) requires small animal mobile clinics to make modifications to their mobile facility to accommodate for a separate surgery room and separate examination room. The Board has determined that due to the diverse types of mobile practitioners, the requirement for mobile clinics to meet one single standard is restrictive. There are mobile clinics that only do vaccinations, ambulatory care, housecall, and not all mobile practitioners perform aseptic surgical procedures. Requiring these facilities to meet the single standard meant that practitioners were going to have a financial impact for purchasing a new mobile facility or closing their business. To resolve this, the Board is modifying sections 2030.2(b)(2) and 2030.2(b)(5) and adding section 2030.2(b)(5)(A). As identified above, section 2030.2(b)(2) will only require that the examination room be large enough to accommodate the required personnel during an examination. Sections 2030.2(b)(5)

and 2030.2(b)(5)(A) were amended to require only small animal mobile clinics that perform aseptic surgeries to have a surgery room separate from the examination room and a surgery room separate from other areas of the facility. This requirement is to avoid any contamination of the surgery room.

The Board is also aware that due the nature of requiring the separate rooms the financial impact of this requirement on small animal mobile clinics is large. Therefore the Board is amending section 2030.2(b)(5) to extend the compliance date for the separate surgery room requirement.

Underlying data:

None

Business Impact:

This regulation will not have a significant adverse economic impact on businesses. This initial determination is based on the following facts or evidence/documents/testimony:

Specific technologies or equipment:

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives:

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the board would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

Set forth below is the alternative, which was considered and the reason the alternative was rejected:

Alternative 1: Status quo.

Do not make any amendments to the current regulations. This would require small animal mobile clinics to make modifications to their facilities, purchase new facilities, or possibly not operate as a mobile practitioner due to the cost of conforming to the current regulations.

The Board determined that making minor modifications to the current regulations would carry out the Board's intent and mission which is to ensure the protection of animals and consumers without putting financial hardships on practitioners.